

ZFW AF  
1617  
PATENT

ATTORNEY DOCKET NO. 00742/057002

Certificate of Mailing: Date of Deposit: July 26, 2004

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Alma Woodberry

Printed name of person mailing correspondence

Signature of person mailing correspondence

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: J. Yuan et al.

Art Unit: 1617

Serial No.: 09/829,040

Examiner: S. Wang

Filed: April 9, 2001

Customer No.: 21559

Title: METHODS AND COMPOUNDS FOR DECREASING CELL TOXICITY OR DEATH

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND  
INTERFERENCES UNDER 37 C.F.R. § 1.191

Applicants respectfully appeals to the Board of Patent Appeals and Interferences from the decision dated March 24, 2004, in which the Office finally rejected claims Claims 1-3, 6-9, 12, 14, 15, and 18-24 of the above-captioned patent application.

Enclosed pursuant to 37 C.F.R. § 1.136 is a Petition to extend the period for replying to the final rejection for one month, to and including July 26, 2004.

Also enclosed is a check in the amount of \$165.00 for the fee required by 37 C.F.R. § 1.17(b) for this Notice of Appeal.

07/30/2004 HALL11 00000085 09829040 01 FC:2401 165.00 OP

If there are any additional charges or any credits, please apply them to Deposit

Account No. 03-2095.

Respectfully submitted,

Date:

July 26, 2004

J. Cooper McDonald  
Kristina Bieker-Brady, Ph.D., P.C.  
for Reg. No. 39,109

Clark & Elbing LLP  
101 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045

J. Cooper McDonald, Ph.D.  
Patent Agent  
Reg. No. 52,011